

### REMARKS

Applicants respectfully request further examination and reconsideration in view of the remarks set forth below. Claims 1-20 are rejected. Claims 1, 2, 5-8, 11-15, and 18-20 are amended herein. Claims 4, 10, and 17 are cancelled herein. Claims 1-3, 5-9, 11-16, and 18-20 remain pending. No new matter has been added as a result of these amendments.

Support for the amendments can be found at least in claims 4, 10, and 17 of the specification as filed; on page 23, line 16 - page 24, line 20 of the specification as filed; on page 29, lines 14-22 of the specification as filed; and on page 34, lines 1-4 of the specification as filed.

#### 35 U.S.C. §103 Rejections

##### 1-3, 5, 7-9, 11, 14-16, and 18

Claims 1-3, 5, 7-9, 11, 14-16, and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over “The Interactive Goal Panel: A methodology for Aligning R&D Activities With Corporate Strategy,” by Casper Lassenius, et al. (hereafter referred to as “Lassenius”) in view of Official Notice (hereafter referred to as “Official Notice”) that it is old and well known in the art to collect customer data. Applicants have reviewed the cited text and respectfully submit that the claimed embodiments of the present invention as recited in Claims 1-3, 5, 7-9, 11, 14-16, and 18 are patentable over the combination of Lassenius in view of Official Notice for the following rationale.

Attention is directed to Claim 1, which recites (emphasis added):

a computer implemented method for utilizing a total customer experience action planning process to provide an improved customer experience, said method comprising:

receiving data from different perspectives associated with an organization and regarding a total customer experience of customers of said organization, said gathering data including gathering data from a customer regarding customer satisfaction with a priority of said customer with respect to said organization and also including gathering data from a manager within said organization regarding a perceived priority of said customer with respect to said organization;

during a strategy session associated with said organization, determining a goal for said organization along with an associated success metric for

accomplishing said goal, wherein said goal is selected to improve a customer experience shortcoming identified based on said data;  
determining a department action plan for accomplishing said goal, wherein said goal is closely associated with a business objective of said organization; and taking measurable action to accomplish said goal.

Independent Claims 7 and 14 contain similar features to Claim 1 and were rejected with the same rationale used to reject Claim 1. Claims 2, 3, and 5 depend from independent Claim 1 and recite further features to the embodiment recited in Claim 1. Claims 8, 9, and 11 depend from independent Claim 7 and recite further features to the embodiment recited in Claim 7. Claims 15, 16, and 18 depend from independent Claim 14 and recite further features to the embodiment recited in Claim 14.

The Office Action of 6/01/2007 indicates that Lassenius does not explicitly collect customer data. Applicants agree. Additionally, Applicants respectfully submit that Lassenius does not teach or suggest “receiving data from different perspectives associated with an organization and regarding a total customer experience of customers of said organization, said gathering data including gathering data from a customer regarding customer satisfaction with a priority of said customer with respect to said organization and also including gathering data from a manager within said organization regarding a perceived priority of said customer with respect to said organization,” (emphasis added) as is recited in Claim 1 and similarly in Claims 7 and 14. Instead, per Applicants’ understanding, the IGP (Interactive Goal Panel) process described in Lassenius appears to obtain all information from internal sources to an organization. For example, as described in paragraph 43 of Lassenius, “[t]he objects, mechanisms, and goals for the dimensions of the BSC are defined by interviewing representatives at different levels in the company.”

Moreover, Applicants submit that Lassenius does not teach or suggest, “determining a goal for said organization along with an associated success metric for accomplishing said goal, wherein said goal is selected to improve a customer experience shortcoming identified based on said data,” (emphasis added) as is recited in Claim 1 and similarly in Claims 7 and 14. Per Applicants’ understanding it would be seemingly impossible for the mechanism of Lassenius to

support selecting a goal to improve a customer experience shortcoming identified based upon collected data, when Lassenius does not teach or suggest collecting customer experience data.

Applicants submit that the Office Action's reliance upon Official Notice (see page 8 of Office Action dated 06/01/2007) that "it is old and well known in the art to collect customer data" does not cure the deficiencies noted above with Lassenius. For example, even when viewed in combination with Lassenius, the general concept of collecting customer data does not teach or suggest, "receiving data from different perspectives associated with an organization and regarding a total customer experience of customers of said organization, said gathering data including gathering data from a customer regarding customer satisfaction with a priority of said customer with respect to said organization and also including gathering data from a manager within said organization regarding a perceived priority of said customer with respect to said organization," as is recited in Claim 1 and similarly in Claims 7 and 14.

Moreover, even when viewed in combination with Lassenius, the general concept of collecting customer data (as proffered through Official Notice) does not teach or suggest, "determining a goal for said organization along with an associated success metric for accomplishing said goal, wherein said goal is selected to improve a customer experience shortcoming identified based on said data," (emphasis added) as is recited in Claim 1 and similarly in Claims 7 and 14.

Further, Applicants have reviewed the information which the Office action cited in support of the Official Notice, and per Applicants' understanding nothing in this information teaches or suggests either of the above described claim features which are present in Claim 1 and similarly in Claims 7 and 14. With respect to the information cited in support of Official Notice, Applicants note that "The information requirements of total quality management," by Khalil Matta et al. (hereafter Matta) does mention the use of Total Quality Management (TQM) in product design. For example on page 447, Matta indicates:

The first step in the quality journey begins with product design. Building quality into the design of a product requires that information be gathered

from the customers on their requirements, from suppliers on component design, from manufacturing on process capabilities, and from employees on improvement opportunities. This information is then coupled with historical data on previous models and on competing products to generate design information and requirements to be transmitted to all interest parties. (emphasis added)

On page 451, Matta also indicates: “Under TQM, data collection and analysis is broadened to include planning, operations, product and quality assessments. Continuous analysis of customer requirements and satisfaction indicators becomes an essential component of the decision-making process.”

However, Applicants submit that even when viewed in combination with Lassenius, Matta’s general concepts of collecting customer data prior to design and continually analyzing customer requirements and satisfaction indicators do not teach or suggest, “receiving data from different perspectives associated with an organization and regarding a total customer experience of customers of said organization, said gathering data including gathering data from a customer regarding customer satisfaction with a priority of said customer with respect to said organization and also including gathering data from a manager within said organization regarding a perceived priority of said customer with respect to said organization,” as recited in Claim 1 and similarly in Claims 7 and 14.

Likewise, Applicants submit that, even when viewed in combination with Lassenius, Matta’s general concepts of collecting customer data prior to design and continually analyzing customer requirements and satisfaction indicators do not teach or suggest, “determining a goal for said organization along with an associated success metric for accomplishing said goal, wherein said goal is selected to improve a customer experience shortcoming identified based on said data,” (emphasis added) as is recited in Claim 1 and similarly in Claims 7 and 14.

Thus, for at least these reasons, Applicants respectfully submit that Claims 1, 7, and 14 are not rendered obvious by Lassenius or Official Notice of the concept of collecting customer data, either alone or in combination. As such, Applicants submit that independent Claims 1, 7, and 14 are patentable over the 35 U.S.C. §103(a) rejection, and are therefore in condition for

allowance. Moreover, Applicants submit that Claims 2, 3, and 5 which depend from Claim 1, claims 8, 9, and 11 which depend from Claim 7, and Claims 15, 16, and 18 which depend from Claim 14 are all allowable over the 35 U.S.C. §103(a) rejection by virtue of their dependence upon allowable base claims.

Claims 4, 6, 10, 12, 17, and 19

Claims 4, 6, 10, 12, 17, and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lassenius (as applied to Claim 1) in view of “eWorkbench: Real-time tracking of synchronize goals” by Gary Meyer and published in the April 2001 issue of HRMagazine (hereafter referred to as “Meyer”). Claims 4, 10, and 17 are cancelled herein, and thus Applicants submit that the rejections to these claims have been rendered moot due to their cancellation. Applicants have reviewed the cited materials and respectfully submit that the embodiments of the present invention as recited in Claims 6, 12, and 19 are not rendered unpatentable by Lassenius, Official Notice, or Myer, either alone or in combination, in view of the following rationale.

Reference is again made to independent Claim 1 (shown above), which contains similar limitations to independent Claims 7 and 14 which were rejected with the same rationale. Claims 6, 12, and 19 depend from independent Claims 1, 7, and 14 respectively. As previously indicated, Applicants believe that Claims 1 (and 7 and 14) are allowable over the 35 U.S.C. §103(a) rejection to the combination of Lassenius in view of Official Notice.

Applicants submit that the Meyer text, either alone or in combination with Lassenius and Official Notice, does not cure the deficiencies noted above with respect to the combination of Lassenius in view of Official Notice. Per Applicants’ understanding Meyer may teach a mechanism for allowing “managers and line employees to create and track goals” (see, e.g., paragraph 2 of Meyer). However, Applicants submit that this is not similar to, and does not teach or suggest, the claim feature of, “receiving data from different perspectives associated with an organization and regarding a total customer experience of

customers of said organization, said gathering data including gathering data from a customer regarding customer satisfaction with a priority of said customer with respect to said organization and also including gathering data from a manager within said organization regarding a perceived priority of said customer with respect to said organization,” as recited in Claim 1 and similarly in Claims 7 and 14. Moreover, Applicants submit that the above recited claim feature is not taught or suggested by Lassenius, Official Notice, or Meyer, either alone or in combination.

Per Applicants’ understanding, Meyer may teach that “[a]n employee can track progress on a competency by entering a current rating based on a behavior or accomplishment (for example, satisfactory resolution of a customer complaint or completion of a seminar).” However, Applicants submit that Myer’s generic and broad concept of “tracking progress” does not teach or suggest, “determining a goal for said organization along with an associated success metric for accomplishing said goal, wherein said goal is selected to improve a customer experience shortcoming identified based on said data,” (emphasis added) as is recited in Claim 1 and similarly in Claims 7 and 14. Moreover, Applicants submit that the above recited claim feature is not taught or suggested by Lassenius, Official Notice, or Meyer, either alone or in combination.

Thus, for at least these reasons, Applicants respectfully submit that Claims 1, 7, and 14 are not rendered obvious by Lassenius, Official Notice of the concept of collecting customer data, or Meyer, either alone or in combination. As such, Applicants submit that independent Claims 1, 7, and 14 are patentable over the 35 U.S.C. §103(a) rejection, and are therefore in condition for allowance. Moreover, Applicants submit that Claim 6 which depends from Claim 1, Claim 12 which depend from Claim 7, and Claim 19 which depends from Claim 14 are all allowable over the 35 U.S.C. §103(a) rejection by virtue of their dependence upon allowable base claims.

Claim 20

Applicants were unable to find Claim 20 addressed by the rejections described in the present Office Action. However, Applicants submit that Claim 20 is allowable for at least the rational described above and by virtue of its dependence from independent Claim 14, which, as describe above, is believed by Applicants to be allowable over all rejections.

CONCLUSION

In light of the above listed remarks, Applicants respectfully requests reconsideration of pending Claims 1-3, 5-9, 11-16, and 18-20.

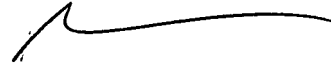
The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,

WAGNER BLECHER LLP

Dated: \_\_\_\_\_

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